

108TH CONGRESS
1ST SESSION

H. R. 3564

To remove United States fair trade laws from the World Trade Organization
dispute settlement system process.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2003

Mr. STRICKLAND introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To remove United States fair trade laws from the World
Trade Organization dispute settlement system process.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Economic Sovereignty
5 and Job Security Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) United States fair trade laws are modeled
9 after provisions in the Uruguay Round Agreements
10 and are consistent with them.

1 (2) World Trade Organization (WTO) dispute
2 settlement bodies have consistently opposed import
3 relief properly imposed under these United States
4 trade laws.

5 (3) WTO dispute settlement bodies have regu-
6 larly ignored understandings and agreements—such
7 as those on antidumping, countervailing duty, safe-
8 guards, and market access—that have been funda-
9 mental to United States participation in the WTO,
10 have invented new obligations, have disregarded the
11 appropriate standard of review, have declined to af-
12 ford the proper deference to decisions of United
13 States authorities, and have undermined the purpose
14 of the WTO dispute settlement agreement.

15 (4) A 2003 United States General Accounting
16 Office report demonstrates that trade remedies im-
17 posed by the United States are two or three times
18 more likely to be challenged—and found in violation
19 of WTO rules—than those imposed by other major
20 trade remedy users.

21 (5) Enforcement of these very same fair trade
22 laws are vital to United States industries, workers,
23 and communities and are essential to maintaining a
24 domestic manufacturing sector.

1 (6) WTO dispute settlement panelists often
2 have been willing, as evidenced by their decisions, to
3 act as activists against the fair trade laws.

4 (7) WTO decisions that undermine the United
5 States fair trade laws operate as a threat to United
6 States sovereignty principles.

7 (8) Abuses of the WTO dispute settlement sys-
8 tem with respect to fair trade laws call into question
9 the WTO's overall credibility and undermine public
10 support for such international trading systems.

11 **SEC. 3. PROHIBITION ON UNITED STATES CONTRIBUTIONS**
12 **TO THE WORLD TRADE ORGANIZATION.**

13 (a) PROHIBITION.—No funds available to the Depart-
14 ment of State or any other Federal department or agency
15 may be used to make a United States contribution to the
16 World Trade Organization (WTO).

17 (b) EXCEPTION.—The prohibition in subsection (a)
18 shall not apply if the President determines and certifies
19 to Congress that the Understanding on Rules and Proce-
20 dures Governing the Settlement of Disputes (as referred
21 to in section 101(d)(16) of the Uruguay Round Agree-
22 ments Act) does not apply with respect to the United
23 States involving a dispute under the Agreement on Imple-
24 mentation of Article VI of the General Agreement on Tar-
25 iffs and Trade 1994 (as referred to in section 101(d)(7)

1 of the Uruguay Round Agreements Act), the Agreement
2 on Subsidies and Countervailing Measures (as referred to
3 in section 101(d)(12) of the Uruguay Round Agreements
4 Act), and the Agreement on Safeguards (as referred to
5 in section 101(d)(13) of the Uruguay Round Agreements
6 Act).

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